

# Agenda of Special Called Meeting

## The Board of Trustees Mineral Wells ISD

---

A Special Called Meeting of the Board of Trustees of Mineral Wells ISD will be held Friday, January 14, 2022, beginning at 5:30 PM in the District Services Complex.

The subjects to be discussed or considered or upon which any formal action may be taken are listed below. Items do not have to be taken in the same order as shown on this meeting notice. Unless removed from the consent agenda, items identified within the consent agenda will be acted on at one time.

1. **Call to Order**
2. **Public Comment**
3. **PUBLIC HEARING: District of Innovation Plan for Mineral Wells Independent School District**  
**Presenter:** David Tarver, Assistant Superintendent
4. **Discuss, Consider, and Take Any Necessary Action Regarding Renewing the District of Innovation Plan for Mineral Wells Independent School District** **2**  
**Presenter:** David Tarver, Assistant Superintendent
5. **2020-2021 Audit Report, Snow Garrett Williams, Certified Public Accountants**  
**Presenter:** Paul Hearn, Chief Financial Officer
6. **Discuss, Consider, and Take Any Necessary Action Regarding Selection of Audit Firm for 2021-2022**  
**Presenter:** Paul Hearn, Chief Financial Officer
7. **Adjournment**



# BOARD OF TRUSTEES Agenda Item

MEETING DATE: January 14, 2022

**MEETING TYPE:**

- Regular Meeting
- Special Meeting

**AGENDA ITEM TYPE:**

- Action Item
- Non-Action Item

**BOARD GOALS (check all that apply)**

**Academic Goals**

- Academic Competitiveness
  - Early Literacy (HB3)
  - Early Math (HB3)
  - Other
- Career Certifications (HB3)

**Operational Goals**

- Promote Community/School Partnerships
- Fiscal Responsibility
- Safe and Secure Schools

**TITLE:** District of Innovation Renewal

**RECOMMENDED ACTION:** It is recommended that the board approve the proposed Innovation Plan as required for the 5-year renewal.

**BOARD POLICY/STATE REGULATION/LAW REFERENCE (if applicable):**

**OVERVIEW:**

**TEC §12A.007** **AMENDMENT OR RENEWAL OF LOCAL INNOVATION PLAN.**  
*A local innovation plan may be amended, rescinded, or renewed if the action is approved by a vote of the district-level committee established under Section 11.251, or a comparable committee if the district is exempt from that section, and the board of trustees in the same manner as required for initial adoption of a local innovation plan under Section 12A.005.*

**19 TAC §102.1313**  
*(a) A district innovation plan may be amended, rescinded, or renewed if the action is approved by a majority vote of the district-level committee established under the Texas Education Code (TEC), §11.251, or a comparable committee if the district is exempt from that section, and a two-thirds majority vote of the board of trustees.  
 (b) The district shall notify the commissioner of education of any actions taken pursuant to subsection (a) of this section along with the associated TEC exemptions and local approval dates.*

**19 TAC §102.1313(a)** *(3) Renewal. During renewal, all sections of the plan and exemptions shall be reviewed and the district must follow all components outlined in §102.1307 of this title (relating to Adoption of Local Innovation Plan).*

**FISCAL IMPACT:** Potential salary saving in the hiring of retired personnel

**ATTACHMENTS:** Districts of Innovation Amendment and Renewal

**DEPARTMENT(S) SUBMITTING FORM:** Human Resources

**DEPARTMENT SIGNATURE/APPROVAL:**  

# Mineral Wells ISD

## Innovative Plan



## **Mission**

Mineral Wells Independent School District is committed to building a community of life-long learners in a student-centered climate emphasizing character and responsibility.

## **Vision**

Mineral Wells Independent School District will design challenging, relevant learning experiences to prepare students for our ever-changing global community.

## **Goals**

### **Academic Goals**

Academic Competitiveness

- Early Literacy
- Early Math

Career Certifications

### **Operational Goals**

Promote Community/School Partnerships

Fiscal Responsibility

Safe and Secure Schools

## **Core Values**

Honesty

Integrity

Teamwork

Excellence

Accountability

Belief in Students

Continuous Improvement

Partnerships with Parents, Businesses, and our Community.

# Mineral Wells ISD as a District of Innovation

## House Bill 1842

This District of Innovation plan relates only to the specific exemptions outlined below. The term of the plan is for 5 years, beginning January 9, 2022, and ending January 9, 2027, unless terminated or amended earlier by the Board of Trustees in accordance with applicable law. The district will adhere strictly to the Texas Education Code in all other areas. If it becomes apparent that changes to this plan are necessary, the district will reconvene the District of Innovation Planning Committee to discuss and potentially enact those changes.

House Bill (HB) 1842 was passed in the 84th Texas Legislative Session. This law gives Texas public school districts an opportunity to modify state requirements to meet the needs of their students. As a District of Innovation, Mineral Wells ISD will have the increased flexibility necessary to customize student learning experiences. Every student is unique. If implemented properly, the unprecedented innovation enabled by HB 1842 can create a different schooling experience for every child. As a school district that puts the needs of students first, Mineral Wells ISD cherishes the ability to make important educational decisions locally.

MWISD seeks, via this process, to fully bring to life the district's vision for the future. Community and business partners have been involved throughout the process of developing our innovation plan, providing feedback regarding what they want for their children's educational experience. As we begin to transform their dreams for their children into reality, local educators and district officials must be positioned to leverage allowed flexibility and reduce or avoid barriers that could otherwise prevent us from doing our best work on their behalf.

This plan requires us to evolve and think drastically differently about critical systems in place in our school district. HB 1842 allows us to re-examine, free of unnecessary bureaucratic hurdles, how we teach, how we recruit and retain talent, how we organize ourselves, how we involve our families, how we grow as a learning organization, and what kinds of educational experiences we provide.

HB 1842 allows districts to exempt themselves from a limited subset of requirements imposed by the Texas Education Code (TEC) "that inhibit the goals of the plan and from which the district should be exempted on adoption of the plan. . ." The purpose of HB 1842 is to spur innovation in school districts, and it is the desire of Mineral Wells ISD to become a more innovative district as a result of pursuing District of Innovation status. Because MWISD seeks to make best use of local control of educational decisions for the benefit of students, we seek exemption from the following permissible provisions of the Texas Education Code as allowed in the statute:

## **Uniform School Start/End Date**

(EB LEGAL) (Texas Education Code Sections 25.0811, 25.0812)

### **Currently**

A school district may not begin instruction for students for a school before the 4th Monday of August. A school district may not schedule the last day of school for students for a school year after May 15.

### **Proposed**

This flexibility of start and end dates will allow Mineral Wells ISD to annually determine, at the local level, what start and end dates best meet the needs of the students and the community. This enables us to personalize learning, increase college and career readiness, balance the amount of instructional time per semester, align curriculum with dual credit courses, allow the district calendar to be more efficient following mandatory testing, and provide more flexible professional development opportunities for our staff. In addition, starting instruction prior to the statutory start date will help enable students to enroll in college courses that start in early June, avoiding a hurdle that otherwise might hinder students' college and career readiness. Removing the uniform start date would also allow MWISD to start classes on a Wednesday or Thursday, as a short week, easing the transition to schooling for students entering pre-k/kindergarten, as well as transitioning through the elementary schools, middle school, and high school.

Students will start school no earlier than the 2<sup>nd</sup> Monday in August.

## **Minimum Minutes of Instruction**

(EC LEGAL & EB LEGAL) (Texas Education Code Sections 25.081, 25.082, 25.083)

### **Currently**

House Bill (HB) 2610, passed by the 84th Texas Legislature, amended the Texas Education Code TEC §25.081 by striking language requiring 180 days of instruction and replacing this language with language requiring the district to provide at least 75,600 minutes of instruction (including intermissions and recess) each school year. Additionally, TEC §25.082(a) currently requires that a school day be at least seven hours each day, including intermissions and recesses. Lastly, TEC §25.083(a) limits a district's ability and authority to make nonemergency announcements to once per day.

### **Proposed**

Exemption from the seven-hour school day requirement would allow MWISD the flexibility needed to alter the school day schedule whenever it was locally determined as beneficial to the district and its stakeholders. While there is an existing waiver process available to request exemption from this requirement, the waiver is limited to a 6-day maximum per school year.

Exempting MWISD from the 75,600-minute annual requirement would give the district a significant amount of local control over scheduling without the fear of diminishing state funding or losing credit for instructional time that might cause the district to fall out of compliance with annual minute requirements. This would allow the district the flexibility to schedule non-instructional days into the schedule to allow for teachers to analyze student data and engage in targeted, relevant professional development.

Exempting the District from the restrictions in TEC §25.083(a) will allow each campus the flexibility to make necessary, albeit nonemergency, announcements throughout the day on an as needed basis. While the District and campuses keep school day announcements to a minimum, there are occasions where announcements are necessary to communicate variations to District policies, procedures, or regulations. For example, the District may need to make nonemergency announcements regarding pick-up/drop-off locations, health and safety protocols, and/or extracurricular/cocurricular activity changes.

MWISD does not intend to shorten the school day on a regular basis, or without specific purpose. To the greatest extent possible, "early release" days will be planned ahead of time and noted in the district calendar which is approved by the Board of Trustees and published and distributed to stakeholders in advance of the school year and continuously published using school media.

## **Class Size Ratio**

(EEB LEGAL) (Texas Education Code Sections 25.111, 25.112, 25.113)

### **Currently**

Kindergarten to 4th Grade classes must be kept at a 22 student to 1 teacher ratio according to state law. When a class exceeds this limit, the district must complete a waiver with the Texas Education Agency. This is a step that could be avoided. Along with the waiver, it is required that written notice be sent home to parents each time a waiver is granted. Many times, soon after the waiver is submitted, situations change, and we are below the 22:1 ratio.

### **Proposed**

As a district that is constantly changing, it has become a common need to Mineral Wells ISD to apply for a class size waiver. While we believe that a small class size may play a positive role for students, this must be balanced with the logistics of the timing of adding staff, and mindfulness must be given to the best teacher to student ratio that can be achieved given the total number of students. Many times, it is not the number of the students but the makeup and chemistry of the classroom that most influence the learning environment. Research shows that the teacher in the classroom has the greatest impact on student learning, as opposed to absolute class size. Under our district of innovation plan, in the event the class size exceeds the 22-student limit for kindergarten through 4th grade classes, a TEA waiver will not be necessary. This plan emphasizes the importance of flexible environments and student learning based upon student needs. It grants flexibility in class size at all times for regrouping for success, small groups, large groups, etc. It also works to minimize paperwork requirements in order to free up time to place additional focus on student success. An exemption from the class size ratio requirements of Texas Education Code (TEC), §25.112, will provide the ability to group students based upon academic, social, and emotional needs without adding ongoing filings of waivers when the need arises.

When exceeding a 22:1 student-teacher ratio in a K-4<sup>th</sup> grade classroom, district policy will be to constantly evaluate the possible need to add additional staff. We will follow this guide throughout this process:

23:1 – Inform the Superintendent

24:1 – Inform the Superintendent and Board of Trustees

25:1 – Inform the Superintendent, Board of Trustees, and notify parents

## **90 Percent Attendance Rule**

(FEC LOCAL) (Texas Education Code Section 25.092)

### **Currently**

Texas Education Code Section 25.092 requires students to attend class for at least 90 percent of the days the class is offered in order to earn class credits or be given a final grade for the class.

### **Proposed**

The 90 Percent Rule is an arbitrary standard, which means school districts award credit based on seat time rather than based on content mastery. Abstaining from the requirement means the district will no longer be required to penalize students who miss class due to extra/co-curricular activities, academic activities, or other extenuating circumstances. This exemption will allow the district to promote student engagement, as well as social and emotional development, by encouraging more students to participate in such activities. It will also allow MWISD administrators to award credit to students because they can show they understand the concepts, rather than because they have attended a certain number of school days. The proposal would allow counselors and administrators to refocus efforts on students who are truly at risk, while simultaneously providing rigor and relevance in the curriculum. Exemption from this requirement will provide educational advantages to students of the district by promoting learning through innovation in the methods, locations, and times instruction may be delivered to students, thereby accommodating students with legitimate scheduling conflicts, reducing dropouts, and increasing the number of qualifying graduates. MWISD will also explore other innovative ways to demonstrate content mastery, given this exemption. This exemption supports the districts overarching goals and provides the flexibility needed to implement tools, resources, and training that support personalized learning for both students and teachers.

Exempting the district from the 90 Percent Rule does not, in any way, impact or alter existing compulsory attendance requirements or University Interscholastic League ("UIL") rules. Moreover, opting out of Section 25.092 in no way limits or modifies a teacher's right to determine the finality of a grade in accordance with Texas Education Code Section 28.0214, nor does it restrict or alter a teacher's right to assign grades in accordance with a district grading policy adopted pursuant to Texas Education Code Section 28.0216.

## **Designation of Campus Behavior Coordinator**

(FO LEGAL & LOCAL) (Texas Education Code Section 37.0012)

### **Currently**

Senate Bill 107 amended the Texas Education Code by adding Section 37.0012, which requires the designation of a campus behavior coordinator on each campus. This designee is responsible for maintaining student discipline and the implementation of Chapter 37, Subchapter A.

### **Proposed**

The proposal is for the district to abstain from the state requirement that each school have a designated campus behavior coordinator. MWISD's approach to discipline is becoming more collaborative, with multiple people providing emotional and social support to students, rather than just one person. Exemption from this requirement will allow the option of increasing collaboration in regard to student discipline, as outlined in the MWISD Student Code of Conduct.

## **Teacher Contract Days**

(DCB Legal, DCB Local) (Texas Education Code Section 21.401)

### **Currently**

Texas Education Code § 21.401 currently requires a contract between the District and an educator to be for a minimum 10 months. Additionally, an educator employed under a 10-month contract must provide a minimum of 187 days of service.

### **Proposed**

This proposal reduces teacher contract days from 187 to 182 with no effect on teacher salaries. This stems from an attempt to provide flexibility to better align teacher service days to instructional days.

- This proposal will increase the daily rate the district pays teachers.
- This proposal should enhance teacher recruitment, therefore putting the district on a more level playing field with larger districts.
- This proposal will significantly improve teacher morale.
- This proposal will provide teachers more opportunities during the year to seek out beneficial staff development that relates to their field.

## **Teacher Certification**

(DK LEGAL, DK LOCAL, DK EXHIBIT) (Texas Education Code Sections 21.003, 21.057)

### **Currently**

In the event a district cannot locate a certified teacher for a position, or a teacher is teaching a subject outside of their certification, the district must submit a request to the Texas Education Agency and provide notification to parents of each student assigned to a classroom taught by the non-certified teacher. There is a lot of bureaucracy and unnecessary paperwork involved in the process.

### **Proposed**

MWISD is committed to placing a life changer in every classroom. In order to best serve MWISD students, decisions on certification will be handled locally. The current state teacher certification requirements inhibit the district's ability to hire teachers to teach hard-to-fill, high demand, dual credit, and career and technical/STEAM (applied Science, Technology, Engineering, and Arts & Mathematics) courses. These requirements also inhibit the district's ability to hire teachers moving in with out-of-state credentials. In order to enable more students to obtain the educational benefit of such course offerings, the district seeks to establish its own local qualification requirements and its own requirements for training of professionals and experts to teach such courses in lieu of the requirements set forth in law. By obtaining exemption from existing teacher certification requirements, the district will have the flexibility to hire community college instructors, university professors, or internal applicants seeking assignments outside of their traditional certification area for full and/or part time course loads. This will enrich applicant pools in specific content areas and afford more students the opportunity to take dual credit courses if certified teachers are not available to teach those courses. In addition, this exemption will afford the district the flexibility to hire professionals in certain trades or vocations to teach the crafts of those trades or vocations (such as welding, fine arts, health sciences, law, etc.) if certified teachers are not available to teach those courses, or their quality of expertise would benefit the students in that area.

Further, allowing local control and discretion as to when parental notification is required and appropriate will permit the district to operate fully in compliance with its District of Innovation Plan while also providing necessary notice as needed. Notice will be provided to parents if a teacher will teach in the same classroom for more than 30 consecutive instructional days during the same school year and the teacher is not qualified to instruct in the classroom under the District of Innovation Plan.

## **Probationary Contracts**

(DCA Legal) (Texas Education Code Section 21.102(b))

### **Currently**

Under current guidelines, probationary periods for newly hired teachers who have been in public education for at least five of the previous eight years cannot exceed one year.

### **Proposed**

This limited time period is insufficient in some cases to fully determine the teacher's effectiveness in the classroom. Relief from Texas Education Code 21.102 will permit the district the option to issue a probationary contract for a period of up to two years for experienced teachers, counselors or nurses newly hired in MWISD.

## **Planning and Preparation Time**

(DL Legal) (Texas Education Code Section 21.404)

### **Currently**

Teachers are entitled to at least 450 minutes within each two-week period for preparing to teach, conducting parent conferences, and evaluating students' work.

### **Proposed**

In an effort to implement PLCs and Opportunity Culture within MWISD, flexible scheduling is a requirement. Having flexibility in planning and preparation time helps in creating schedules where select teachers can reach more students and have more planning time on teacher teams. All teachers will have appropriate planning and preparation time, but flexibility is requested.

## **School Health Advisory Council (SHAC) Meetings**

(BDF Legal) (Texas Education Code Section 28.004 (d-1))

### **Currently**

Texas Education Code 28.004 (d-1) mandates that the SHAC meet at least four times per school year.

### **Proposed**

Due to the size of the district and the SHAC leadership that keeps members informed on the health and safety needs of students, two meetings per year will be appropriate. The SHAC will meet once in the fall and once in the spring, with an update to the board of trustees during a regular board meeting prior to the end of the current school year.

## **Transfer Students**

(FDA Local) (Texas Education Code Section 25.036)

### **Currently**

A school district may choose to accept, as transfers, students who are not entitled to enroll in the district. Texas Education Code 25.036 indicates that a transfer is approved for a period of one school year. FDA (Local) states, "Transfers shall be granted for one regular school year at a time."

### **Proposed**

The district seeks to be exempt from the requirement that transfers be granted annually for one school year at a time for students. This exemption would allow the district to consider transfer students seeking a school change in hopes of a fresh start regarding grades, attendance, and discipline. This type of student would likely not be accepted because of the one-year requirement. Mineral Wells ISD maintains a transfer policy under FDA (Local), requiring students to file a transfer application each school year. Out of district transfer requests are considered based on class size, staff availability, and the type of programs required to serve the transfer student. Additionally, campus principals review the student's discipline history, academic grades, state assessment results, and attendance records before approving or denying the transfer request. If approved, transfer students will comply with district policies and attendance requirements or be subject to immediate revocation of their transfer by the Superintendent or designee.

## **Removal of Unwanted Visitors**

(Texas Education Code Section 37.105)

### **Currently**

In 2017, the Texas Legislature changed the law on how school administrators can eject unruly guests from school events. This applies to parents and community members, not students. Under the law, the guest must be given, at a minimum, a verbal warning before he or she is ejected. Upon ejection, the guest must also be given notice of how he or she can appeal the ejection.

### **Proposed**

Mineral Wells ISD will allow designated staff members the authority to remove parents or visitors whose behavior is deemed inappropriate for a school setting without prior warning or written notice.

## **Elementary Counselors**

(FFEA Legal) (Texas Education Code Section 33.002 (b))

### **Currently**

Texas Education Code 33.002 states that “A school district with 500 or more students enrolled in elementary school grades shall employ a school counselor certified under the rules of the State Board for Educator Certification for each elementary school in the district. A school district shall employ at least one school counselor for every 500 elementary school students in the district.”

### **Proposed**

The flexibility created by exempting the district from the requirements of Texas Education Code Section 33.002 affords the district the ability to employ a licensed social worker rather than a SBEC-certified counselor in instances where the student populations and their families would be better served by the wraparound services provided by a licensed social worker.

## **DAEP - Teacher**

FOCA (Legal) (Texas Education Code Section 37.008 (a-1)(1)) (TAC 103.1201 (h)(1))

### **Currently**

Texas Education Code Section 37.008 mandates that school districts provide a disciplinary alternative education program that: employs only teachers who meet all certification requirements established under Subchapter B, Chapter 21. Texas Administrative Code 103.1201(h)(1) states that the teacher-to-student ratio in DAEP shall be one teacher for each 15 students in elementary through high school grades.

### **Proposed**

Mineral Wells ISD will continuously monitor the attendance of DAEP to determine the need for fully certified teachers as compared to that of an instructional aide. The district will use the analyzed data to determine the best staffing for the students while maintaining an effective learning environment and fiscally sound staffing.

## **Teacher Mentors**

DEAA (Legal) (Texas Education Code Section 21.458)

### **Currently**

Texas Education Code Section 21.458 requires that teacher mentors have three or more years of experience in the field along with trainings approved by the commissioner.

### **Proposed**

Mineral Wells ISD works hard to recruit and maintain appropriate staffing in an incredibly competitive market in which teacher shortages are not uncommon. Exemption from these requirements allows for any teacher in need of mentor assistance or support to be assigned a mentor. In addition, mentors being exempt from the qualifications described in Subsection (b) will increase the pool of teachers from which the district could draw for these targeted mentoring programs.

## **Preclusion From Providing Alternative Uniform Group Coverage Program**

(Texas Education Code Section 22.004)

### **Currently**

Texas Education Code Section 22.004 is not included in any of the prohibited exemptions that can be included in a district's local innovation plan pursuant to TEC 12A.004 or the list of Commissioner's prohibited exemptions in the Texas Administrative Code Title 19, Chapter 102, Subchapter JJ, Section 102.1309.

### **Proposed**

In order to have the option to offer additional benefits options to employees and to increase local control of the group health benefits plan to allow the district to be responsive to employee and community needs, the district hereby exempts itself from the requirements of Texas Education Code 22.004(i).

## **Counselor Work Time**

*(DP(LOCAL), TEC 33.006)*

### **Currently**

TEC § 33.006 states that a school counselor must “spend at least 80 percent of the school counselor’s total work time on duties that components of a counseling program developed under Section 33.005.” Further, “time spent in administering assessment instruments or providing other assistance in connection with assessment instruments, except time spent in interpreting data from assessment instruments, is not considered time spent on counseling.”

### **Proposed**

Allow local control over what duties school counselors will perform based on staffing and student needs. Exempt the District from the statutory provision that requires school counselors (1) to spend at least 80 percent of the counselor’s total work time on duties that are components of a counseling program; (2) requires the District to set the percentage of work time that school counselors are required to spend on components of the counselor program; and (3) restricts the district from including provisions in school counselors’ contracts requiring such to perform duties not identified in policy. This innovation will be implemented by the District as follows:

- The District is committed to ensuring that the academic and emotional needs of all students are met. In order to accomplish this goal with limited staffing, the District must balance the roles of academic guidance, emotional support, and other administrative tasks in each counselor's workload.
- In addition to the role of providing student support through individual and crisis counseling, this exemption will allow the District to enhance the work of school personnel and parents through the counselor’s role of guiding student goal setting and planning by promoting understanding of standardized test results and other assessment data.

Additionally, through annual auditing, the counselor will support the District to inform accountability, action plans, time management, and systemic change. In doing so, the counselor will be useful in providing parent and guardian consultation to foster each student’s educational, career, personal, and social development.

## Summary

This District of Innovation Plan will reduce restrictions and help MWISD to better support our students, employees, and families in more innovative ways. Nudging our district toward the locally customized environment our students deserve will enable us to better prepare them according to their individualized needs and their unique talents and traits. Through HB 1842, MWISD will be able to utilize innovative approaches to making the best decisions for our children because we will be able to make them locally.

In many cases, the implementation of exemptions from the Texas Education Code will require the revision of MWISD policies. MWISD will utilize a local policy development process that includes stakeholder input. This District of Innovation Plan will be implemented upon Board approval and will be in effect for 5 years from the date of implementation. Where necessary, the superintendent of schools or designee will promulgate regulations, policies, and procedures to govern the areas for which local flexibility has been sought.

We are grateful to the legislators who campaigned for Districts of Innovation through HB 1842 and to Commissioner Morath and his team for furthering our ability to create innovative strategies. We are committed to the children of our community and pledge to implement this plan with their best interests at heart.